

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
100 N. MARYLAND 21204
410-3353

TO: ZONING
DIRECTOR

August 31, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 42 Zoning Advisory Committee Meeting are as follows:

Property Owner: John A. Corasaniti
Location: S/S Crestnoll Road 190' E. from c/l Knollcrest Road
Baltimore Zoning: R.C.5
Proposed Zoning: Variance to permit a side yard setback of 36' in lieu of the required 50'.

Acres: 225/296.98 x 150/166.38
District: 8th.

The items checked below are applicable:

A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-83 ~~and other applicable codes, rules and regulations, and other applicable codes.~~

B. A building/ ~~or other~~ miscellaneous permit shall be required before beginning construction.

C. Residential: These sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, Line 2, Section 1107 and Table 1102, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s .

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, then the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CJB:ies

IN RE: PETITION ZONING VARIANCE
S/S of Crestnoll Road, 190'
E of the centerline of Knoll-
crest Road (2309 Crestnoll
Road) - 8th Election District
John A. Corasaniti,
Petitioner
Case No. 85-105-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 36 feet instead of the required 50 feet in order to construct a garage, as shown on Petitioner's Exhibit 2.

The Petitioner, by his Contract Purchasers, Matthew O. and Valerie M. Summerlin, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, zoned R.C.5, is improved with a single-family residence recently constructed for the Contract Purchasers. They now want to add a two-car garage to the east side of the home but need this variance to do so. The 24' x 27' garage can only be constructed as proposed due to the sloping topography of the property and the location of the septic system to the west side of the property and the well in the rear. The location of the garage as proposed is the best available. It is important to note that the properties on either side of the subject site and properties across the street have also received setback variances. See Case Nos. 85-5-A and 84-125-A.

The Petitioner seeks relief from Section 103.3 (1A00.3.B.3), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property.

McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

ORDER RECEIVED FOR FILING
DATE October 22, 1984
BY John A. Corasaniti

ZONING DESCRIPTION

Beginning on the southside of Crestnoll Road 150 feet wide, at the distance of 190 feet east of the center of Knollcrest Road being Lot 11, block C, in the subdivision of Knollcrest Manor section 3.
JR 40 FOLIO 87
Also known as 2309 Crestnoll Road in the 8th election district.

PETITION FOR VARIANCE 8th Election District

LOCATION: South side of Crestnoll Road, 190 feet East of the centerline of Knollcrest Road (2309 Crestnoll Road)
DATE AND TIME: Monday, October 22, 1984 at 10:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 36 feet instead of the required 50 feet.

Being the property of John A. Corasaniti as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of October, 1984, that the Petition for Zoning Variance to permit a side yard setback of 36 feet instead of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If,

ORDER RECEIVED FOR FILING
DATE October 22, 1984
BY John A. Corasaniti

for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Arnold Jablon
Zoning Commissioner of
Baltimore County

AD/srl

cc: Mr. & Mrs. Matthew O. Summerlin

People's Counsel

ORDER RECEIVED FOR FILING
DATE October 22, 1984
BY John A. Corasaniti

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: October 16, 1984
FROM: Norman E. Gerber, Director
Office of Planning and Zoning
Zoning Petition Nos. 85-105-A, 85-106-SpH, 85-107-A, 85-108-X, 85-109-A,
SUBJECT: 85-114-A, 85-115-A, 85-118-A, 85-119-A, 85-120-A, and 85-121-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

October 16, 1984

Mr. John A. Corasaniti
2411 Crestnoll Road
Reisterstown, Maryland 21136

RE: Petition for Variance
S/S Crestnoll Rd., 190' E of
c/l of Knollcrest Rd. (2309 Crestnoll Rd)
John A. Corasaniti - Petitioner
Case No. 85-105-A

Dear Mr. Corasaniti:

This is to advise you that \$49.33 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing, before an Order is issued. Do not remove sign until day of hearing.

BALTIMORE COUNTY, MARYLAND No. 134374 re County, Maryland, and
OFFICE OF FINANCE, REVENUE DIVISION from 113, County Office Building,
MISCELLANEOUS CASH RECEIPT

DATE Oct. 22, 1984 ACCOUNT R-01-615-C00

AMOUNT \$49.33

RECEIVED Mr. and Mrs. Matthew O. Summerlin
FROM: Advertising and Posting of Case No. 85-105-A

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

0 02*****493310 #226F

VALIDATION OR SIGNATURE OF CASHIER

September 26, 1984

Mr. John A. Corasaniti
2411 Crestnoll Road
Reisterstown, Maryland 21136

NOTICE OF HEARING
Petition for Variance
S/S of Crestnoll Road, 190' E of the
c/l of Knollcrest Road (2309 Crestnoll Road)
John A. Corasaniti - Petitioner
Case No. 85-105-A (Item #42)

TIME: 10:00 A.M.
DATE: Monday, October 22, 1984
PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

AJ:ech
cc: Mr. and Mrs. Matthew O. Summerlin
P.O. Box 24556
Baltimore, Maryland 21214

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 133205

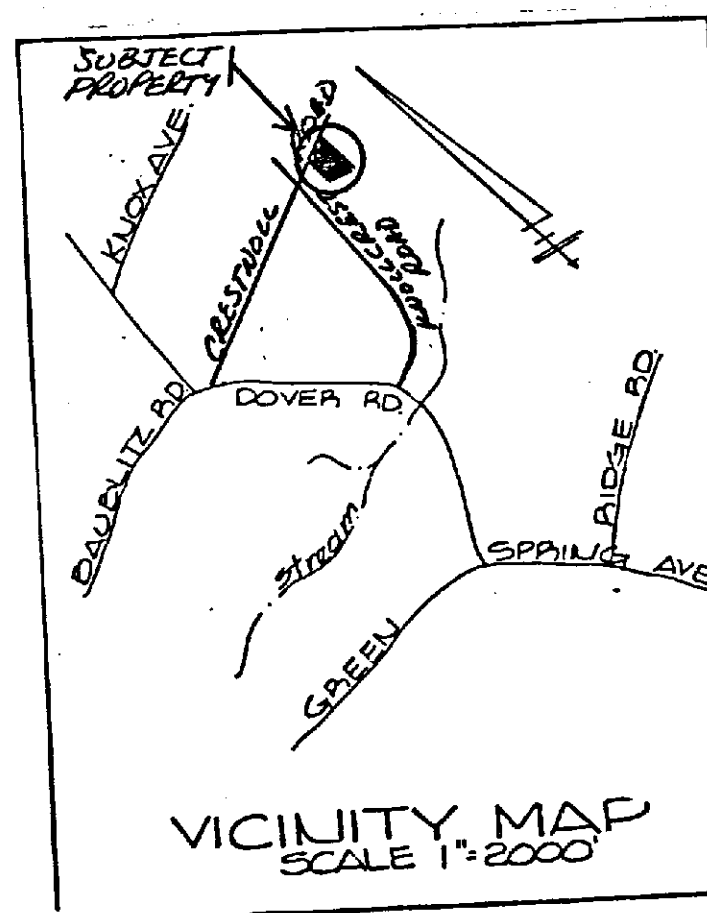
DATE: 8-15-84 ACCOUNT: R 01-615-000
AMOUNT: 35.00

RECEIVED FROM: File for Item 42 Corasaniti

6 D21*****35001a \$154F

VALIDATION OR SIGNATURE OF CASHIER

PETITIONER'S
EXHIBIT 1



85-105-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
25th day of August, 1984.

Petitioner: John A. Corasaniti
Petitioner's Attorney:

Received by: Arnold J. Jolson
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 14, 1984

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
October 14, 1984.

THE JEFFERSONIAN,

13 Ventana
Publisher

Cost of Advertising 18.00

PETITION FOR VARIANCE
The Election District
LOCATION: South side of Crestnoll Road, 190' East of the centerline of Knollcrest Road.
DATE AND TIME: Monday, October 22, 1984 at 10 A.M.
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variance to permit a side yard setback of 50 feet instead of the required 75 feet.
Being the property of John A. Corasaniti as shown on the plat filed with the Zoning Office.
In the event that this petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will hold a public hearing on the petition for variance to permit a side yard setback of 50 feet instead of the required 75 feet.
By Order of:
ARNOLD J. JOLSON
Zoning Commissioner
of Baltimore County
Oct. 4, 1984

PETITION FOR VARIANCE
The Election District
LOCATION: South side of Crestnoll Road, 190' East of the centerline of Knollcrest Road.
DATE AND TIME: Monday, October 22, 1984 at 10 A.M.
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for variance to permit a side yard setback of 50 feet instead of the required 75 feet.
Being the property of John A. Corasaniti as shown on the plat filed with the Zoning Office.
In the event that this petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will hold a public hearing on the petition for variance to permit a side yard setback of 50 feet instead of the required 75 feet.
By Order of:
ARNOLD J. JOLSON
Zoning Commissioner
of Baltimore County
Oct. 4, 1984

MARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Oct. 4, 1984

THIS IS TO CERTIFY that the annexed Regulation #163345, P.O. #59136
was for one (1) day previous to the day of October 19, 1984, in the
Carroll County Times, a daily newspaper published
in Westminster, Carroll County, Maryland.
South Carroll Herald, a weekly newspaper published
in Eldersburg, Carroll County, Maryland.
Community Times, a weekly newspaper published
in Reisterstown, Baltimore County, Maryland.

MARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.
Per: [Signature]

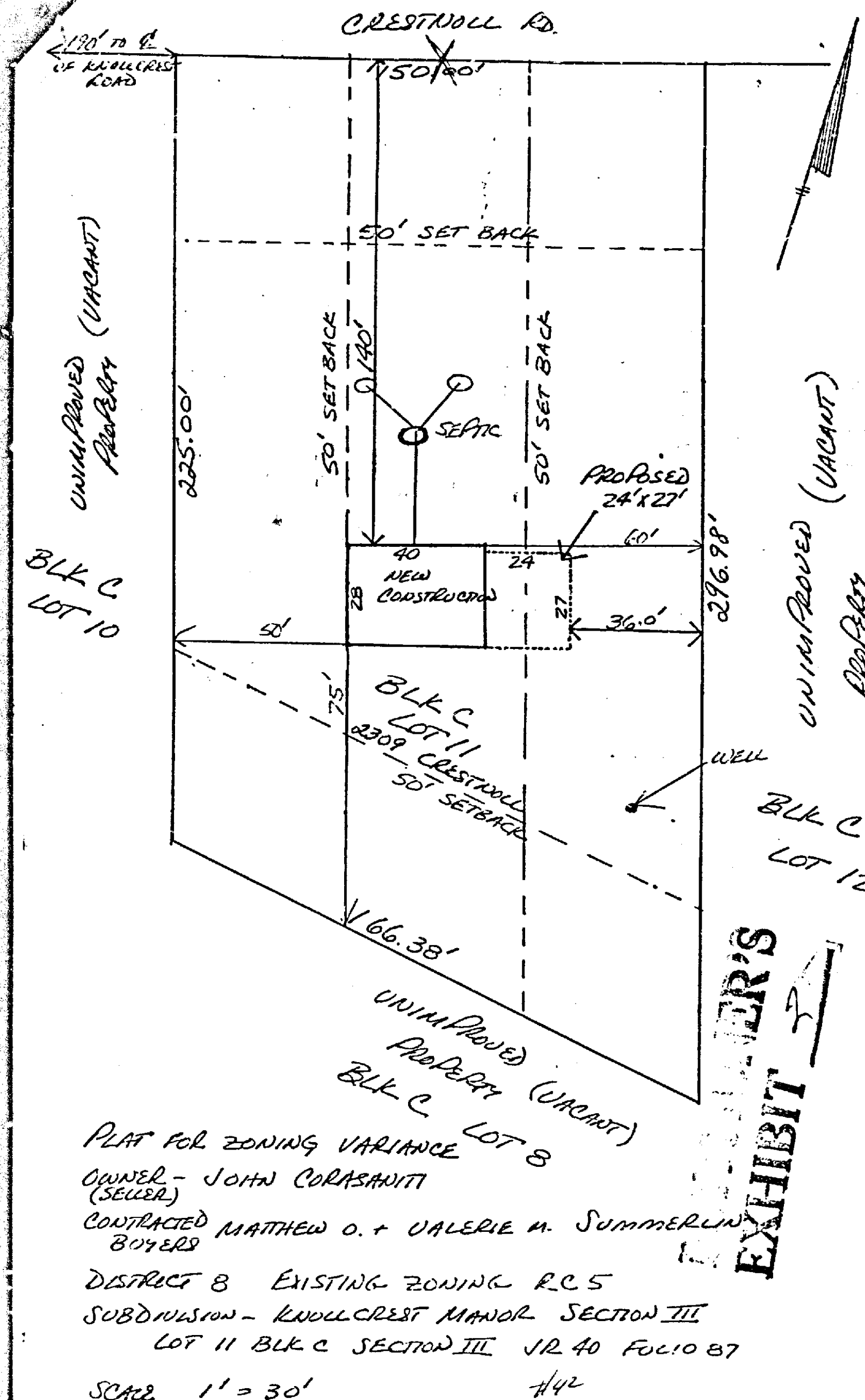
CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

85-105-A

District: 5th
Posted for: [Signature]
Petitioner: John A. Corasaniti
Location of property: S/S of Crestnoll Road, 190' E of the c/l of Knollcrest Road.
Location of signs: S/Side of Crestnoll Road, approx. 240' E of the c/l of Knollcrest Road.
Remarks:
Posted by: [Signature]
Date of return: 10-5-84
Number of signs: 1



PLAT FOR ZONING VARIANCE
OWNER - JOHN CORASANTINI
(SEWER)
CONTRACTED MATTHEW O. + VALERIE M. SUMMERLIN
BOYERS
DISTRICT 8 EXISTING ZONING R.C.5
SUBDIVISION - KNOLLCREST MANOR SECTION III
LOT 11 BLK C SECTION III VR 40 FOLIO 87
SCALE 1" = 30' 1/4"